

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

United States Of America,

NO. C 06-05397 JW

Plaintiff,

**ORDER TO SHOW CAUSE
RE: SETTLEMENT**

v.

Carol Lindsay, et al.,

Defendants.

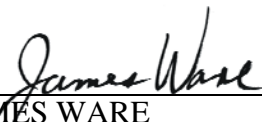
The above captioned matter is scheduled for a case management conference on December 3, 2007. On November 20, 2007, the parties informed the Court that they are in the process of calculating the debt owed by Defendant and anticipate a settlement of the dispute within ninety days. In light of the anticipated settlement, the Court vacates all trial and pretrial dates. On or before **February 25, 2008**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **March 3, 2008** at 9:00 a.m. and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before **February 25, 2008**, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

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Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: November 28, 2007



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 David Bujannoff Porter porter@woodporter.com
3 David L. Denier david.denier@usdoj.gov
4 Jay Robert Weill jay.weill@usdoj.gov
5 Randall P. Borcharding randall.borcharding@doj.ca.gov

6 **Dated: November 28, 2007**

Richard W. Wieking, Clerk

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8 **By: /s/ JW Chambers**
9 **Elizabeth Garcia**
10 **Courtroom Deputy**